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3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF WASHINGTON5 VICTOR R. CARDENAS,) No. CV-10-5029-CI
6)
7) ORDER GRANTING STIPULATED
8) MOTION TO REMAND PURSUANT TO
9) SENTENCE FOUR OF 42 U.S.C.
10) § 405(g)
11 MICHAEL J. ASTRUE,)
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Defendant.)

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12 BEFORE THE COURT is the parties' stipulated Motion to Remand of
13 the above-captioned matter to the Commissioner for additional
14 administrative proceedings. (Ct. Rec. 25.) Attorney Thomas A.
15 Bothwell represents Plaintiff Victor Cardenas; Special Assistant
16 United States Attorney Kathy Reif represents Defendant. The parties
17 have consented to proceed before a magistrate judge. (Ct. Rec. 7.)
18 After considering the stipulation of the parties,

19 **IT IS ORDERED:**

20 1. The parties' stipulated Motion to Remand (**Ct. Rec. 25**) is
21 **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the
22 Commissioner of Social Security for further administrative
23 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On
24 remand, the administrative law judge (ALJ) shall further develop the
25 record regarding whether Plaintiff exhibited deficits in adaptive
26 functioning prior to the age of 22; reassess the medical evidence,
27 including whether Plaintiff met or equaled listing 12.05C; obtain,
28 if necessary, vocational expert testimony to assess at step five

1 whether Plaintiff can perform any other work that exists in
2 significant numbers the national economy; and issue a new decision.

3 2. Judgment shall be entered for the **PLAINTIFF**.

4 3. Plaintiff's Motion for Summary Judgment (**Ct. Rec. 15**) is
5 stricken as moot.

6 4. Defendant's Motion for an Extension of Time (**Ct. Rec. 22**)
7 is stricken as moot.

8 5. An application for attorney fees may be filed by separate
9 motion.

10 The District Court Executive is directed to enter this Order,
11 forward copies to counsel, and thereafter shall close this file.

12 DATED March 25, 2011.

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S/ CYNTHIA IMBROGNO
UNITED STATES MAGISTRATE JUDGE

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